THE

Second Part

OF

Dr. Sherlock's

TWO KINGS

OF

BRAINFORD,

AT THE

IMPORTUNITY

OF HIS

VINDICATOR.

LONDON,
Printed for *W. Rayner*, 1690.

The SECOND PART OF Dr. SHERLOCK's Two Kings OF BRAINFORD.

WHere a Man is charged with Ill Intention, or ſuch Conſequences as no Pretence of Good Intention can Juſtifie; a Vindication is moſt proper for himſelf: for if any part of the Charge is too true to be anſwered, it may be leſſen'd by a Proteſtation, or pardon'd for the Ingenuity of a Confeſſion. Dr. *Sherlock* has indeed proteſted, that he intended not to reflect upon this Government as an Uſurpation, but I think this has been ſhewn to be contrary to the plain Fact.

Himſelf ſays in his Preface, *In managing this Argument upon the Principles he has laid down, it is neceſſary to reaſon upon Suppoſition of unjuſt Uſurpations, and Illegal Revolutions of State.* And indeed this way of arguing was neceſſary to juſtifie his Swearing Allegiance; for if his Principles are true, our Government was an unjuſt Uſurpation, and the Revolution Illegal; tho he drops Pref. p. laſt.

ſome Expreſſions contrary to his avowed Principles; he by no means applies them to the Juſtifying the Revolution, but only to warrant our Submiſſion to it: if he ſays any thing which may in conſequence prove this Government to be no Uſurpation; it is plainly contrary to the confeſs'd Intention of his Book; and did he believe our Revolution juſtifiable, he ought firſt to have proved it ſo, before he admitted the dangerous Suppoſition that it is not ſo.

This the Law of Argument had required, if he had been of an Opinion conſiſting with the Honour and Safety of this Government: Not having done it, but on the other ſide, ſhewing that the Ground of his Scruple was, that he thought Uſurpers were not to be obeyed; and that it was removed, by being taught, that Uſurpers are to be obeyed: What does he leſs than loudly proclaim their Majeſties Uſurpers?

He may, if he pleaſe, ſlight and contemn the Objection; for my part I cannot ſo far undervalue the Wit of his *Vindicator*, as not publickly to clear my ſelf from his Charge, of being a *Malicious Slanderer of the Doctor*, guilty of *wickedly wreſting his Senſe, falſifying his Words*, and *moſt Religiouſly*, that is, moſt irreligiouſly, *bringing Objections againſt the very Scriptures*: becauſe I do not take them in the Doctor's Senſe.

page 34. page 35. page 37.

Were it not for theſe Groundleſs Imputations, I ſhould have ſlighted the Peeviſh Quarrel at my Stile, and the Title which I choſe, as expreſſive of the Doctor's Characters of Two Kings; one who is ſuppoſed to have *Legal Right* to the Government, and yet none to the Allegiance of the Subject; they not owing any to him, till he regains it by Diſturbing the Preſent Peace and Settlement made by God himſelf. Another admitted to have Right to the Allegiance of the Subject, and yet that this is without *Legal Right* to the Government; tho he is fully ſubmitted to by the People, and in Conjunction with them, or with their

conſent,

conſent, has Power of making Laws which may change all *Legal Rights*.

Whether another Title might in fewer words have repreſented this to the mind, is not worth a Conteſt: and had there been no more than Mirth in his Charges, I might have ſuffered him to *indulge* his Spleen at the ſuppoſed *Laskity* or Mercinarineſs of a *Pen*, page 38. which perhaps I may ſay, without Vanity, has been given up to the Cauſe of my Country; and tho I have no reaſon to boaſt of my Gains in its Service, I hope no Misfortunes ſhall make me repent of thoſe Endeavours which I have dedicated to it: nor durſt I betray it, ſo much, as by my ſilence, how much ſoever Intereſt, or Importunity might have pleaded in Excuſe. If others of greater Abilities, and leſs interrupted Studies, had as often thought themſelves under the like Obligation, it might have ſet aſide mine. I muſt needs ſay, I am very ſorry to have any Controverſie with a Gentleman who expreſſes a Zeal for this Government: but I ſhould be much ſorryer, if his writing againſt me ſhould prove a piece of Service to it.

But he who pays *Service* to that, while he has a *Veneration for the Doctor*; may think he ſerves it, when he makes its Honour and Eſtabliſhment ſubſervient to the Reputation of the Man whom he *Venerates*. Some would think that he unluckily tranſpoſes the Romiſh uſe of λατρεία and δουλία, paying the higheſt Honour to the inferior Nature.

page 28. *Which I have undertaken as a piece of Service to the Government, as well as out of Veneration to the Doctor.*

I may well ſay it is not unuſual for Bigottry, or a forbidden Admiration of Perſons, to enervate Mens Faculties, corrupt their Judgments, and divert that Noble Ardour, with which they ſhould proſecute the common Enemies, to their Country, and to Mankind.

It is certainly very unhappy, for any to be ſo blinded with Paſſion or Affection, as not to be able to diſcern Friends from Foes; to engage againſt their own Party and

and Intereſt; and to ſupport thoſe who would deſtroy them, but could not, without their being Acceſſary to their own Ruine: the Exceſs of Truth in this Matter, forbids the Satyr of the Application.

But ſurely this Gentleman's Quarrel is very unreaſonable againſt me, who am his Friend, as I am, or would be, to every Body who comes in to this Government upon ſuch Principles, as may make Allegiance more certain than the Chance of War; and leſs precarious than the Doctrine of *Paſſive Obedience*, even as now maintained, would render it.

If that juſt Indignation, which I have conceived, againſt thoſe falſe Colours, with which ſome would bedawb and ſpoil the natural Beauties of this *Revolution*, may at any time have warm'd my thoughts; I hope it has no where tranſported me to any indecent Expreſſions: and if my words are *Froth* for want of weight; I know not that I have given occaſion, for the Compariſon to a Wild-Boar *Whetting his Tuſks*, or a *Wild Reflecter upon the eſtabliſhed National Church.*

page 28.
ibid.
page 40.

Yet this *Gentleman* ſhall ſee that I can be Temperate in every thing concerning my ſelf, and how ill ſoever he treats me, I am reſolved to uſe him well; becauſe I believe him to be a Friend to our Conſtitution and Settlement; and that he differs from me only where he miſunderſtands me.

I ſhall calmly ſhew,

1. That he for the moſt part agrees with me, and where he materially differs, he differs from himſelf as much as from me.

2. That the Doctor materially differs from him and me, and that I had reaſon to except anainſt the Doctor's Principles, as, by manifeſt Conſequence, 1. Charging the Inſtruments in the late *Revolution*, with *Rebellion* againſt that Power, which he had taught to be irreſiſtible in all Caſes.

Cases. And 2. Their Majesties with *Usurpation*. 3. That by like Consequence, he *too plainly invites the late King once more to try his Fortune*. And 4. Does not free himself from, at least, bordering upon *Blasphemy*.

3. That those Expressions, wherein the Doctor agrees with me, are Departures from his *Principles*; and that the Propositions with which I concluded, and which this Gentleman receives for true Principles, are every one of them contrary to the Doctor's.

4. And tho it may seem needless, after proof of the other Heads, I shall remove all the seemingly material Objections against my Expressions, or that Sense in which I have taken Scripture, or the Doctor's Words.

I. This *Gentleman* confesses, that *the Notions of Passive Obedience and Non-resistance, have been much abused, and strain'd, perhaps, much farther than the Law of God or Man intended 'em. But*, says he, *take them in a right Sense, and I believe few Christians will oppose 'em; all owning that private Persons are not to resist Authority, or disturb the State they live in: and that when no notable Inconvenience follows, any Mischief, is much better than War.* page 19.

But more fully, *both Law and Gospel*, says he, *condemn Resistance of our Lawful Superiors, but neither, that I know, give any direction how to behave themselves, supposing all overturn'd, the Laws vacated, the Government changed, and in respect of what it was before, entirely dissolved, not being willing to suppose any such things should happen, which if they do, by their not taking particular care of those cases, they seem to leave a Man to the direction of common Prudence, and Self-preservation.* page 23.

Herein he effectually justifies the *Revolution* upon the late King's *vacating the Laws*, &c. and I make no other Exception to his Notion, than that it too much Favours a Common-wealth Principle: whereas I think I have sufficiently

ently ſhewn how the Law preſerves *the Monarchy*, notwithſtanding the Diſſolution of the Contract, or other Obligation between the Prince and People.

Vid. *Fundamental Conſtitution of the Engliſh Government.*

page. 34. But yet he will have it, that *the Law does not deny* ſuch Prince *his Right to the Crown*, even after the Law, which he owns to have given it him, was *vacated.*

page 31. Nay, he will have it to remain, notwithſtanding what he calls *the Acquiſts and Conſequences of a juſt War*: but having admoniſh'd the Doctor of the want of Policy in ſuch Inſinuations, I ſhall leave this Gentleman to think better of it. And I believe the World will think, that he had no reaſon to except againſt my Notions, when he not only receives my *Scheme* of Government, as ſuppoſing it almoſt in every Line to be the Doctor's; but, with me, owns that a Prince may Uſurp upon his Subjects, and that the late King was ſuch an Uſurper: Speaking of times, *When the Law has its due courſe, and the Government not as good as totally overturned*, He ſays, *If things be once in that condition, and the Prince is* [*an Uſurper on that part of Power which is diſtinct from him,*] *and wherewith the Law, which the Doctor tells us, is the meaſure of our Obedience, never intruſted him*; *In this caſe* [*which was plainly ours*] *as not concerning him, he does not meddle.*

Two Kings, p. 38.

page 40.

page 35.

Tyranny or Uſurpation upon Subjects. Two Kings. p. 20.

And then he effectually ſets aſide all the Doctor's pains to bring the *13th* to the *Romans* to require Submiſſion to Uſurpation; for grafting upon my Argument, *If*, ſays he, *Natural Power be Force, and Moral Power Law, the King* de Facto *is poſſeſſed of both, and there is no need of the Diſtinction*; but ſurely there is to ſhew, that the Doctor miſtakes the Text.

page 36.

He

He as effectually sets aside the use the Doctor has of the Text, to make Tyrants irresistible; for upon the Doctor's asserting that Sovereign Princes are not to be resisted, which he all along applies to *England*, where he owns that the Law has set Bounds to the *Sovereign Power* of the Prince; *Indeed*, says our Author, *where a Prince has the absolute Sovereignty, and entire Authority,* page 35. *few, I suppose, will deny him to be in the right; since where such Authority is, the Authoritative Acts thereof are Law.*

But this Gentleman himself holds this not to be the case of an English King; for he owns he may be said to usurp upon part of the Power with which the Law never trusted him. And will have it, that the Doctor has shewn *beyond Contradiction, that he was ever far from intending to give away the Liberty of an English-man*, particularly by the passage, *That the Prince cannot make or repeal a Law, without the consent of the People.* page 34.

It seems, to our comfort, the Doctor was all this while laboring the case of a French, not of an English King; but it may appear, That he is far from receiving this Gentleman's Sense of Sovereignty, and of Usurpation upon *part* of it: nor will he with his Vindicator, say, that the *Supream Power of this Nation, is the King and Parliament*, or as he soon explains it, *King, Lords and Commons*: according to this, if Gods Authority, tho in a lower Degree, is in Lords and Commons; and if, as the Doctor has it, *Every one who exerciseth Supream Power, is from God*, and his Person is Irresistible, then the Persons of Lords and Commons are *Irresistible.* pag. 24, 25. pag. 20.

II. That the Doctor does materially differ from him and me, and that I had reason to charge him as I did, is very evident, even from this Book which this Gentleman undertakes to defend; but had it not appear'd plainly here, I think it

were very allowable for me to prove it out of his Case of Resistance, where he purposely treats of the Case of Tyranny, as he here does of a supposed Usurpation. And this, surely, I am very well warranted to do, after the Doctor had said,

page 28. *Taking to task not only the Doctor's present book but those already past.*

Pref. p. ante pen. *I must add one thing more, That I have renounced no Principle that ever I taught, excepting one in the Case of Resistance, which is the only material Passage I have any reason to retract in that Book.*

1. But even in the last Book he holds, contrary to his *Vindicator*, and that in express terms, That the *Obligations of Duty and Conscience*, are not only *Prejudices*, but *Objections* against our late Revolution: His words are these,

page 48. Vid. page 45. *A great Prejudice rather than an Objection.*

page 48. *King* James, *more, I hope, by following ill Counsels, than by his own Inclination, had effectually removed all Prejudices and Objections against such a Revolution, [excepting the Obligation of Duty and Conscience.]*

Vid. p. 30. These Obligations being excepted, I appeal to this Gentleman, whether he can, agreeably to the Doctor, say, That King *James* did either *Forego or Forfeit* his Right.

2. Nay, whereas the Gentleman owns the Law, requiring Allegeance to the late King, vacated before the Settlement; let him see whether the Doctor does not charge the Instruments in the Revolution with Perjury: *We*

page 22. *must not*, says he, *contrary to our Sworn Duty and Allegiance, promote such Revolutions.*

And elsewhere says, by *Swearing to the*

page 30. *Heirs, and Legal or Lawful Successors*, we do not *Swear to own or submit to any Prince*, who is not the *Legal Heir*; but *we Swear, not to make it our act; not to set up any Prince, who is not the right Heir.*

Let

Let this *Gentleman*, if he pleases, say I am a *Malicious Slanderer* of the Doctor, in saying, that herein he condemns all those as guilty of *wilful Perjury*, who had been Subjects to the *late King*, and were Instruments in setting up This.

That they did not adhere to the *Strictest Principles of Loyalty and Obedience*, is a Censure not worth the mentioning after this: But *according to those Principles*, the Doctor says, *Men are to have no hand in such Revolutions, or to oppose them as far as they can; and not to be hasty and forward in their Compliances.* page 16.

This Genleman admits, that the Scripture provides not for the Irresistibility of any Prince, who has not the *absolute Sovereignty, and such entire Authority as makes Laws*, which he denies to belong to the King of *England*. But the Doctor says, of such a Sovereign Prince, as he supposes ours to be, that he *is not to be resisted by Force*, and *that his Subjects must reverence God's Authority in him, and submit to him without Resistance, though they are ill used.* True Vin. pag 24, 25. page 30. page 43.

This Gentleman agrees our present Settlement to be no *Usurpation*; that the late King was the *Usurper* upon his Subjects; and that they justly chose a Deliverance; but the Doctor, as I shall shew more particularly than I have already observed, says, that, by the unforc'd Consequence of which, their Majesties must be *Usurpers*. page 35.

And therefore, whereas I have maintained by *Law*, that *their Majesties are Rightful King and Queen, and came by their Power by due means*; I here take up the *Vindicator's* Challenge, and shall shew *where the Doctor affirms* what is *contrary to this*: and then I hope, tho this *Gentleman* will have it, that he does not say in terms or *Consequence*, that *their Majesties are Usurpers*; all unbyassed Men, to whom only I appeal, will say, that I *deserve not the name of a Malicious Slanderer*. p. 29.

Tho this *Gentleman* ſeems diſpoſed to diſpute every thing which I ſhall affirm of the Doctor, he will not, I dare ſay, deny that the Doctor admits the *late King* once to have been our *Lawful* and *Rightful* Governour; and muſt allow that he was ſo declared in *the Oath of Allegiance* taken to him. Wherefore,

1. If neither the Subjects, nor any Foreign Prince, could upon the account of any Injuries he did the Subjects, contribute towards the Revolution, according to the Doctor, without Sin; but the Revolution was *Gods Prerogative* and Act; and yet Gods Interpoſition did not take away the Right.

2. If the late King could not Loſe or Forfeit it.

3. Or if he could, yet did not.

If any one of theſe Caſes are received by the Doctor, upon the Subject of our Debate, much more if all of them are, I think it will not be denied, but that in plain Conſequence, of what the Doctor ſays, *their Majeſties* cannot but be *Uſurpers*.

That the Doctor allows the Subjects in no caſe to contribute to ſuch a Revolution, has appeared already: and if he makes Revolutions ſo much *Gods Prerogative*, that no Man whatever can, without Sin, act before God has declared himſelf by the Event; then he condemns the Foreign Prince, who Delivers a People, as well as them who Sue for the Deliverance. But he ſays, that the *Revo-*

page 43. *lutions of Government are Gods Prerogative, the changing of Government he keeps in his own hand:* And tho he ſpeaks it there, in reference to the Subjects Duty, he before had in all caſes confin'd the Right of bringing them about to *Gods Providence*; which he makes the ſole

page 24. *Foundation* of Government. *I cannot*, ſays he, *ſee where to fix the Foundation of Government, but in the Providence of God.* And tho he ſpeaks of ſeveral ways, whereby God uſes to change or fix Governments, he excepts againſt the effect of *Choice*, *Conqueſt*, *Submiſſion*,

miſſion, *Uſurpation*, *Continuance* of it, and even *Hereditary Right* it ſelf; and imputes the Change ſolely to the Authority of God, made known by the *Events of Providence*; and yet makes that Authority not to give a *Right*: for that Providence, which, with him, is the ſole Foundation of Government, he ſays, *alters no legal Right*; but whoever is ſet up by Providence, while a Right remains unaltered in another Prince, muſt, one would think, needs be an *Uſurper*. And he will not allow, that any Ambitious Prince can *graſp at a Crown, or invade his Neighbour, without a Doſe of Enthuſiaſm. For*, ſays he, *if the Kingdoms of the World be diſpoſed by God, and no Art or Power can place any Prince on the Throne, but by Gods appointment; unleſs they can flatter themſelves, that God has ordained them to be Kings, it will check their Ambitious Attempts, which God can ſo eaſily defeat.* page 13. page 36. page 33.

To which we may add what he ſays in the next Page; *Tho Kingdoms are diſpoſed by God, yet Princes may be advanced*, to Gods Authority by his Gift, *by no Honeſter Means than Thieves take a Purſe, or break open my Houſe, and take my Money or Goods.* What Prince would thank the Doctor, for allowing him *God's* Authority upon theſe Terms? page 34.

But if God alone, without any conſent of the People, diſpoſes of the Kingdom, and ſuch diſpoſition cannot alter the Right, without their conſent, nor indeed with, as the Doctor argues, making no ſuch Submiſſion, in concurrence with Providence, to alter the Right; then it ſeems the Invading Prince does, and muſt, continue an Uſurper, till he gains a *Submiſſion* from the Diſpoſſeſſed Prince: Which he ſays, *Indeed may be thought neceſſary to transfer a Legal Right*. But he who wants any thing neceſſary to have a Legal Right to a Crown transferred to him, is certainly an Uſurper. Nay, the Doctor will have that Prince, who has not obtained his neceſſary Tranſlation p. 9.

of

of Legal Right, to continue an Usurper, even after the Death of the Dispossessed Prince; for his words are these:

page 24. *An Usurper by long Continuance may outlive those who formerly were the Crown; but does it give Right to him who has none, that he Outlives those who had the Right? For tho no body else has any Right to the Crown, how does this make him a Rightful King, who had no Right?*

2. The late King could not, upon the Doctor's Principles, Lose or Forfeit that Right which he once had. This appears not only from his urging the Necessity of the *Prince his Submission, to transfer* that Right which he once had; but from the Nature of that Authority which he is by him supposed to have had, and the way by which he came to it. For if it be *Gods Authority*, and of his immediate Gift, then indeed he cannot Forfeit, or Lose it to Men: And since God himself, by taking it away, does

page 26. not *alter his Right*; the Right is, and ever must be the same, till God, by a Miracle, declares his

page 200. Will that it should be altered. And if this be a Doubt upon his late Case of Allegiance, the Case of Resistance says, the *Sovereign Power is inseparable from his Person.*

3. If the *late King* might have Lost or Forfeited his Authority; yet it is evident, that according to the Doctor, he did not. I will own to the Vindicator, that the Doctor no where says, that a Prince may not Forfeit or Forego his Right; but I think the plain Consequence of what he holds is, that the Prince cannot *Forfeit* it: Indeed he admits he may *Forego* it, but that is, by a Submission not yet made. As I before observed, in shewing, that he condemned the Revolution; he makes Conscience and Duty Exceptions to it, and that King *James* did not remove those Exceptions; according to which, and the whole drift of his Book, Conscience obliges Men still to

pay

pay him all that Duty which they can in Consistency with Self-preservation. King *James* being named by himself, in reference to the Revolution, I think it is no Force, upon his meaning, to say, he is the dispossessed Prince, whose Legal Right he will have not to be alter'd; and that whatever he makes to be due to a dispossessed Prince, who has Legal Right, he makes due to King *James*: Let the World judge of the Consequences of the following Particulars.

1. He makes it our Duty to *take care*, that we pray for him who is in Possession, *under the Name and Title of King; in such Terms, as not to Pray against the Dispossessed Prince.* page 17.

2. He says, we must not deny the Dispos'd Prince his *just Right*: but the Possession, it seems, is not in our Hands: and, one would think, that since he so boldly Insinuates the other's Right, he would have their Majesties Resign. page 26.

3. That he may Fight to Regain the Possession.

4. That it is Doubtful, whether in such case he may not Commissionate his Old Subjects to Fight for him; For, says the Doctor, *I am not Lawyer enough to decide, whether a Commission granted by a King out of Possession, be a Legal Commission.* page 31. But as I before shewed, if it were not *Legal* in Form, it would, according to him, have *the Authority of Sovereign Power*; and all the Support and Comfort which he leaves the deserted Prince in Possession, in such case, is, that no *Law*, that the Doctor knows, *requires all Subjects to receive Commissions*, either from the other, or from him. page 31.

5. As he no where says, what implies in the least, that the Subject may assist the King in Possession, when the other Fights against him; He rather shews it to be his Opinion, that the Subjects may not Fight on the side of the Possession, *while the Dispossessed Prince has also such a Formidable Power, as makes the Event very Doubtful.* page 17.

Doubtful. For in such cases he will have the *Degree of Submission* to *This* to be abated: And his Answer to the Objection, *That it is unjust for Subjects to pay Allegiance, while another has legal right and claim to the Throne*, Shews, that he allows them to pay Allegiance, only while the *other don't and can't Govern*, for want of Power.

page 26.

6. *That they who are under no Obligation to the Prince in Possession, are not forbid to assist the Dispossessed Prince to recover his legal right.*

Nay, by direct Consequence, if his be the Cause of Right and Justice, they are oblig'd to assist him, as they have Opportunity; and no doubt this was Publish'd to strengthen the Confederacy against *France*.

What will Foreign Princes think, if a Divine of our Church, who takes the Oaths to their Majesties, shall be known to have Written thus? No doubt but the French King will take care to have his Book Translated into their Language.

I hope henceforward this Vindicator will not be so free in his Censures, and will own the *Disloyal Consequences* in the Doctors Book are the Doctor's own, not of my making: However, I think, this may shew, That I was far from being a *Malicious Slanderer*, when out of Service to the Government, I exposed those Consequences.

page 34.

3. And, perhaps, the Gentleman will not be altogether so sure, *That there is little Ground* for affirming, that the Doctor *too plainly invites the late King once more to try his Fortune.*

page 30.

4. The Vindicator says of me, *Let him prove the Absurdity, and Blasphemy, of those Principles, on which the Doctor proceeds in his Book, and he shall quickly have either a Confession, or an Answer.* He that cannot discern the Proofs of the Absurdity, of Notions which himself Rejects, shall never engage me upon that Head.

Head. As for *Blaſphemy*, I had no where expreſsly charged it, but qualified it with a *perhaps*; and the full
page 4. expoſal of that, I had referred to the *Divine*.
But when I came to touch upon what looks that
page 34. way, I thought I was very gentle; when I ſaid, *I do not well know by what Term to call it, but ſhall fairly repreſent it.*

But this Gentleman makes me a very Civil return for my Moderation herein: tho I forbear to charge the Doctor with *Blaſphemy*, he charges me with denying the Authority of the Scriptures, which I am ſure I never did. His words are,

He blames the Doctor for affirming the Scripture never ſpeaks of the bare Permiſſion of Events, but repreſents God, as the Author of all the Good and Evil which happens to Societies and Perſons. Which, ſays he, *I expected he'd have anſwered, by inſtancing where it did:* But inſtead of that, he *wiſely Reaſons againſt Matter of Fact, and moſt Religiouſly brings Objections againſt the very Scriptures, the Authority of which, at leaſt, being, I hope, from God, we may take the Truth of it for granted, and wave any farther anſwer; eſpecially when the Robber's Caſe has been already conſidered.* I know not that I have any where ſpoken ſo doubtfully of the Authority of Scriptures, as this Gentleman, in *but hoping*, that they are from *God*: For I believe that they are: and ſurely Faith has an higher Degree of Aſſurance than Hope. pag. 36, 37.

But, as in many other Particulars, all the Force which lyes in this Gentleman's Objection againſt me, is by changing a Word for the Doctor and me, and putting in *repreſents*, inſtead of *makes*. If the Scriptures, as the Doctor ſays, *makes* God the Author of all Evil which happens in a City; tho it might ſeem difficult to the Underſtanding, Faith muſt yield to the Authority; but if it only *repreſents* God *as* the Author; then it does not follow, that we muſt believe him to be the Author: But Reaſon would carry us from

the Literal Senſe, to ſome other, fully ſuitable to that Idea which we have of a Being Infinite in all Perfections. But unleſs this Gentleman believes Tranſubſtantion, I hope he will not ſay, that I disbelieve the Scripture, becauſe I receive not the Literal Meaning in ſome places; as where it repreſents God with Paſſions, nay, Body Humane.

If I *argue* againſt Matter of Fact in this, I am ſure he muſt againſt Common Senſe; if he will in no caſe allow the Scriptures to be taken in any other than a ſtrict literal Meaning: And the Doctor himſelf argued againſt Fact, as much as I do, when he ſaid of Uſurping Rebels, ſuch *Men get Power into their Hands by Gods Permiſſion, not by Gods Ordinance.*

Caſe of Ref. page 128.

He waves, he ſays, *any farther Anſwer; when the Robber's Caſe has been already conſidered.* My Objections upon the Suppoſition of Gods giving the Crown authoritatively to an Uſurper, ſuppoſed to be an Uſurper, notwithſtanding ſuch Gift; would not be anſwered, if he could ſhew, upon the Doctor's Principles, that God may be ſaid to Authorize Uſurpations, but not Robberies.

p. 34.

But what ſays this Gentleman to the Objection from the Parallel? the moſt he ſays is, you may turn to the Doctor's *Book, and ſee it anſwered before it was made*; but he does not take notice of the meer Evaſion ſhewn to lye in the pretended Anſwer?

True Vind. page 25.

Two Kings page 25.

This Gentleman thinks the Subſtance of the Anſwer to lye in this; *There is pure Force for the Deſtruction of Civil Order, without any Agreement.*

By his mentioning Civil Order, one would think, that inſtead of ſpeaking of Robberies, he ſpeaks of Uſurpations, *without any Agreement*: Is not the want of Agreement of the Party uſurp'd upon, equally ſuppoſed? How then does this difference the caſe? Till this Gentleman ſhews a more material difference, it will not be ſaid, that the Doctor has taught what obviates my Objection. He would have it, that I, in ſaying that *Publick Good may require the Eſtabliſhment* of one who had Uſurp'd, yield a material difference between his caſe and a Robber's: But,

1. If

1. If Publick Good required this at the beginning, and the proper Judges of the Publick Good declared ſo; he whom the Doctor ſuppoſes to be an Uſurper, never was one.

2. From the time of ſuch Declaration, he would ceaſe to be an Uſurper, if he were one before.

3. If he aſſumed the Government without this, according to the Doctor, he might have done it by as ill means as a Robber robs my Houſe: wherefore what I ſaid there, does not in the leaſt weaken the Parallel.

And he who ſays, as the Doctor does expreſly, That a Prince may be advanced to a Throne, *by no Honeſter Means, than Thieves take my Purſe, or break open my Houſe, and take my Money and Goods*; and yet will allow of *no diſtinction*, in reference to a Man's mounting the Throne, between *what God permits, and what he does*; as I conceive, *charges God as fooliſhly*, as if he ſhould ſay, God is Acceſſary to Robberies. And let the Doctor, if he pleaſes, clear himſelf. page 34. page 12.

It may already, pretty well appear, that I did not *Tranſcribe* out of the Doctor, when I was arguing againſt him; and juſtifying God Almighty, by ſhewing, that a Literal Senſe was no more to be put upon thoſe Texts, which would make God the Author of Uſurpations; than a like Text, which, if taken Literally, as I am perſwaded it ought not, would make him to have appointed thoſe very Bounds which are gotten by Violence and Injuſtice. *Vid. True Vind.* p 37.

III. But this Gentleman has a Paſſage, which would bring the Doctor and me together more than I am aware of.

He comes, ſays he, at laſt, after he *Fancies he has thrown down the Doctor's Scheme of Government, and his own too, for he has prov'd 'em the ſame, to erect another Scheme, almoſt every Line whereof, is the ſame with* page 40.

True Vind. page 40. *the Doctor's, who, I suppose, would not refuse to Subscribe to more than one, in all those other Particulars.*

page 17. This Gentleman might have observed, that I had asserted, and endeavoured to prove, that if the Doctor would, in all cases, yield, *as entire Obedience to the King of Providence, as he did to the Legal King; he had learn'd this from Principles directly contrary to the Doctrine of Passive Obedience and Non-resistance.*

page 28. I had shewn farther, that if the Doctor *had pursued, as he ought, those true Principles which he sometimes falls upon unawares; he would have given the World more Satisfaction of his Sincerity.*

The *Vindicator* being resolved to write against me, as it should seem before he had read all my Book, *undertakes to maintain* against me from the *Doctor's* page 29. *Book, and what is there asserted either in expres terms or fair consequences,* That their present Majesties, *William* and *Mary, are rightful King and Queen of these Realms, and came by their power by due means*; which I say is im- page 4. possible to *be proved upon the Doctor's Grounds.* But when I came to shew where the Doctor, departing from his Grounds, lets fall Expressions, which, if the Consequences of them were duely pursued, would fully justifie Their Majesties and the Revolution; This Gentleman falls into a Passion, and says, I *surreptitiously* page 38. *prevented him*: that is, I prevented his Answer, when he wanted but three Pages to finish; and that surely was great pity.

But if the Doctor's Grounds or the Principles which he lays down, are contrary to Their Majesties Right; if the Expressions which he uses, contrary to his Principles, are never applied to justifie their Right, but barely for the Justification of himself and other Subjects, in Swearing and paying Allegiance; if, farther, the design of his whole Book appears to be contrary to those Expressions; then I think, till this Gentleman can prevail

upon

upon the *Doctor* to renounce those Principles which so long kept him from swearing Allegiance, and still withhold him from justifying the Government; he cannot say that he has justified his Swearing, upon such Principles as prove the Right, as well as Possession of the Crown, to be in Their Majesties. Wherefore I must still call upon him, as he values the interest of the *Protestant Religion*, to which Their Majesties are the greatest support; as he values the Obligation for that great indulgence and benignity which has been shewn him; as he values the Liberties of the *English* Nation, which suffer none to halt between two Opinions in this matter, (especially since he yields, that many things have been said *to justifie the legality of the late Revolution, which may make* page 2. *Men more modest in the point*) to read those Books, which treat of it, with that judgment which he applies to other things; and then I doubt not but he will publish such a Recantation, as shall make full amends for the mischief which his Book may do, with unwary and unstable Minds.

When the Doctor has considered better, then I hope, he may receive and illustrate the Propositions which I had rais'd, with the Approbation of the Vindicator: but at present, if I may judge by the Doctor's Books, he differs widely from them.

Two Kings.	The Doctor.
1. *That Allegiance is a legal Bond or Tye, importing Active as well as Passive Obedience, to legal Authority.*	1. *Allegiance is due, not for the sake of Legal Right, not to bare Legal Right,* Case of Alleg. p. 2. *Subjection, as appears from St.* Paul, *signifies Non-resistance.* Case of Resist. p. 147. *Non-resistance is as perfect Subjection, as*

Two

Two Kings.	The Doctor.
2. *He to whom Allegiance is not due, is not legal King, nor has right so to be; or ever can be, without a new submission of the People either of free Choice or by Constraint: unless it be by the visible designation and appointment of God Almighty.*	*can or ought to be paid to Sovereign Princes*, ib. p. 44. 2. *He who has a Legal Right to the Crown, but has it not, ought by the Laws of the Land to be King, but is not: But he who is actually Setled in the Administration of the regal Power is King, and has Gods Authority tho he have not a Legal Right*: p. 14. *when such case happens we must pay Allegiance to him who has not the Legal Right*, p. 15.
3. *No Divine Law, or just inference from thence, sets aside Humane Constitutions, suitable to Christianity, and beneficial to Civil Societies.*	3. Our Constitution sets aside the right of the late King; and since the Doctor allows that God has turned him out; he must provide a Divine Law for his Right, or none remains. But if it be gone, then Gods Providence with the Submission of the People have transferred the Legal right, without the Submission of the Prince, which the Doctor denies, *vid. sup.*
4. *No Divine Interposition or Act of God, which is not so visible, as may satisfie all Men, before the success, what is the Will of God; can be said Authoritatively to alter,*	4. *God, when he sees fit, sets up Kings without regard to Legal Right, or Humane Laws; and Kings, thus set up, are invested with Gods Authority*, p. 2, 3. *This alters*

Two Kings.

or diminish Rights to Crowns, or the Liberties, or Properties of Subjects.

5. *Humane Constitutions may be vertually repealed or suspended, when they cease to answer the main end or Law, the good of the respective Societies.*

The Doctor.

not legal right, p. 26. and yet it is Gods Act. *It makes no difference in this case, to distinguish between what God permits, and what he does*, p. 12. Whereby, tho he leave the dispossessed Prince a Right, notwithstanding that the Law had altered it; he takes away the Interest of the Subject, not only in relation to the declaring, upon a Vacancy, what Governour they will submit to; but gives the Prince, that thus comes in, a Power over that Law which settles their Properties: especially if we take the Explanation from his Case of Resistance; he being invested with *a Power Independent on Laws.*

Vid. inf. of the Right of Election within a Family. Vid. Case of Resist. p. 197.

5. *If Princes abuse their Power, God will punish them for it, and deliver their oppressed Subjects*, p. 38. *But they must submit without resistance, tho they are ill used*, p. 43. I cite this upon Supposition, that the Constitution allows of resistance in no case. And to this may be applied, what the Doctor says of the Legal

6. *They*

Two Kings.	The Doctor.
6. *They who contributed towards our present Settlement, did what had been justifiable, tho they had fail'd of Success.*	Right still remaining with the Dispossessed Prince. 6. I have at large shewn, how contrary this is to the Doctor. *p.* 10, 12.
7. *Their Majesties are our sole, lawful and rightful King and Queen, according not only to the Supream Law, the publick Good, but to the positive Laws and Constitutions of this Government, known and declared, as there has been occasion, in all Ages, from the first Foundation of this limited Monarchy.*	7. When the Doctor comes to subscribe to this, I dare say, he will burn his Case of Allegiance.
8. *They no more consult the Honour and Interest of their Majesties, than the Common Safety; who now advance the old decanted Doctrine of Non-resistance and Passive Obedience, to a Power exercised without regard to legal right, or Humane Laws.*	8. When the Doctor is brought to subscribe to this, perhaps he will burn his Case of Resistance: which some Body has done him the kindness to Abridge, and publish as his *Defence*, *Vid. The Case of Allegiance Defended, with a more particular respect to the Doctrine of Non-resistance and Passive Obedience.*

IV. Now we enter into a large Field, where either Weeds, or weighty Ears of Corn, are very plentiful; and it is likely to be thought, that either this Gentleman's Understanding, or mine, is Fruitful of Mistakes; mine in using so many Expressions justly exceptionable; or his, in excepting without just Ground.

But

But perhaps, that way among the Wits, call'd *Banter*, with which ſome of Luxuriant Fancies are very entertaining, may be advanced to the preſs; and then one may be thought, not to underſtand the New Laws, among the *Beaux Eſprits*, who will take to himſelf, what has no determinate meaning.

And indeed in many places, where he ſeems to play upon me, he really falls foul upon the Doctor.

I had obſerved, that the Doctor makes nothing of Gods Authority, becauſe he will have it, that tho a Prince is *placed and ſettled in the Throne by God* himſelf; yet he who had the Right before that Settlement, may ſtill Fight for it: Upon which I had raiſed theſe Queſtions. *Vid. True Vind. page 31. Vid. Right unaltered. Vid. Two Kings, page 7, 8, 9.*

1. Does not the Diſpoſſeſs'd Prince, by ſo doing, deny God's Authority? 2. Does not God Warrant him that is in Poſſeſſion to defend his right? Shall it be ſaid, agreeably to the Doctor himſelf, that God deſigned to take it away again, till by reſtoring the Power to the other, he has given him the Stamp, or *Sign* of his Authority.

Obſerve his general Anſwer.

All theſe Objections, ſays he, *bear as full againſt a King* de Facto, *and ſo againſt our Laws, as the Doctors Argument, who, as has been proved, muſt have either God's Authority, or none at all.* page. 31.

He might have taken Notice that the Objection is, that, tho the King *de Facto* has God's Authority, he allows him, with whom he ſuppoſes the Right to be, to fight againſt that Authority.

But is it againſt our Law, or againſt the King *de Facto*, that he ſhould be Warranted to defend his Poſſeſſion; And that it ſhall not be thought, that God permits the other to fight for the Poſſeſſion? Whereby it appears, that the Doctor's aſſerion to uſe his Vindicators

Words, *Bears full against a King* de Facto, *and so against our Laws.*

The ſame will appear from the particular Anſwers to the Queſtions.

1. To the Firſt, he ſays, *The Authority may relate to the Subjects not to him:* Himſelf takes in the Conſideration of the Law, which he agrees to be on the ſide of the King in Poſſeſſion; whereas the Doctor ſays, the King out of Poſſeſſion ought *by the Laws of the* Land *to be King:* But if the Law, and *God's Authority*, be on the ſide of the Poſſeſſor, has not he the right, and no other? I am ſure this Gentleman, if he keep to his Foundation, holds that he has: He admits that the other is, become a private Perſon; yet indeed he will have it, that he may be called *King on the account of right.* If he ſays of right, remaining with him; then I am ſure the *Two Kings of* Branford *are not reduced to One.*

page 14. *Vid. ſup. p.* 7. *p.* 8. 32. *page.* 35.

But the Doctor, as I have already ſhewn, not only affirms a right to continue, but ſome Conſequences of that right which are contrary to our Law.

Vid. ſup. p. 15, 16.

2. To my Second Queſtion; this *Gentleman* ſays, *The regnant Prince's Defence of what by God's Permiſſion, and Providence, he enjoys, and lawfulneſs of the ſame, may depend very much on the juſtneſs of the War in the begining. To come to particulars, all the World grants the then Prince, his preſent Majeſtie's Cauſe was Juſt, and 'tis as clear, that the Acquiſts and Conſequences of a lawful War may be lawfully defended.*

page 31.

Here he Fights not only againſt his admired Friend, the Doctor, but againſt himſelf, and againſt the Senſe of Two Parliaments, who as the Doctor himſelf owns, have the *Cognizance* of this matter. But,

page 52.

1. He

1. He might have met with an Objection to this in the Author of *Vindiciæ Juris Regii*, or *Elementa Politica*; for want of the Declaration of War.

2. The Doctor either thought not of this *Acquist*, or *Conqueſt*, or elſe did not agree the right of it; contending for a right in another, though his Vindicator ſays, all the World agree *His preſent Majeſtie's Cauſe was Juſt.*

3. Himſelf juſtifies the Revolution and Setlement upon a truer Principle, as has appeared above. *page 7, 8.*

4. The Act of Parliament ſetling the Crown, and more eſpecially that which provided that Indictments, during the Vacancy, ſhould run *Contra pacem Regni* (both which Laws, among others, were by this Parliament declared to have had full Parliamentary Authority) ſhew that the Crown was not acquired by Conqueſt, but by the voluntary Submiſſion of a free People. *Vid. the Act 1 W. M. for reviving of Actions and Proceſs.*

3. To my Third, he ſays, *There is no queſtion but God deſigns to take away his Gift when he actually does it.* Which Anſwer would juſtifie all proſperous Rebellions.

What I ſay further, upon the Doctors allowing, that the Diſpoſſeſs'd Prince may fight againſt one to whom God has given his Crown, I think may be left to ſhift for its ſelf, being anſwered at the ſame rate.

But it concerns me to free my ſelf from the charge of ſo foul an *Abuſe* put upon the *Doctor*, *as never was Fowler*, where he repreſents me ſaying, that *the Doctor Interprets that part of the Canon,* *True Vind. page 33.*

If any Man affirm, that Jaddus, *having Sworn Allegiance to* Darius, *might have borne Arms againſt him, he doth greatly Err; in this manner,* the meaning *is no more than this, that he having Sworn Allegiance to* Darius, *could not have made a voluntary Dedition of himſelf to* Darius.

But the best of it is, there is no one Observation of his, which may seem to deserve an answer, wherein he takes my words as they lye: And it would be strange, if I, having tax'd the Doctor with leaving out those words, and compared it to the Omission of a part of *Bracton*, which explained *Bracton*'s meaning, contrary to what the *Doctor* render'd it; should say, that the *Doctor* puts an Interpretation upon words, of which I say he gives no account at all.

But the *Doctor* had affirmed, that *the Canon takes no notice, that* Jaddus, *having Sworn to* Darius, *could not submit or Swear to any other Prince while* Darius *lived.* And instead of explaining the whole Canon, he undertook to explain what *Jaddus* meant, when he said he could not Swear to *Alexander*, *while* Darius *lived, because of his Oath to* Darius. Upon this he had put a strein'd Sense, that he could not Swear till he should be forced to it; but since he had been bound to take notice of that part of the Canon, which I observ'd; it was not improper to represent that way, in which he would explain *Jaddus* his meaning, as an Art to turn off the Observation of that part of the Canon: for every Body must confess what he says of *a voluntary Dedition*, would be very Foreign to that part of the Canon which says, *If any Man affirm, that* Jaddus, *having Sworn Allegiance to* Darius, *might have lawfully borne Arms against* Darius, *he doth greatly err.*

Case of Alleg. page 8.

Canon 30.

In another place this Gentleman accuses me of *a Wicked, disingenuous, and silly Wresting the Doctor's Sense, and Falsifying his Words, and turning them quite backwards*, and this he says, *one shall often meet with.*

page 35.

The Instance which he gives, is, that I *Charge* the Doctor with saying, that Scripture *and Reason require our not resisting a King, when he Subverts the Laws and Liberties, and legal established Religion of the Kingdom, by illegal Methods. Whereas*, says the *Vindicator, he says almost quite contrary, that we are not bound to defend him.* It seems he admits,

admits, that where Aſſiſtance is not a Duty, Reſiſtance may be Lawful: But I am ſure the Doctor ſays no ſuch thing, but the contrary.

This Gentleman confeſſes he ſays, *That a Sovereign Prince muſt not be reſiſted*; but he will have that not meant of an Engliſh King, but ſuch a Prince as has *the Abſolute Sovereignty, and entire Authority, the authoritative Acts* whereof *are Law.* page 35.

It ſeems, when Dr. *Sherlock* was Preaching up *Non-reſiſtance*, as the Duty of his Hearers, he thought himſelf in *France or Turky*, not in *England*; where this Gentleman, beſides what I before obſerved, ſays, *The Prince is only inveſted with the Executive Power, and part of the Legiſlative.* True Vind. p. 8. & 35

In relation to the *Church*, I, who never thought *Church-men* the *Church*, muſt expect an heavy Charge; yet let him take my own words, and make the moſt of them.

He will have it, that I make the Members of the Church of *England* the feweſt of them, who contributed towards this Revolution: But this he does, by applying to all the *Church-men*, and *their Diſciples, who invited our Deliverer, and cloſed with the Deliverance*, what I ſay *of ſome of our Church-men, and many of their moſt Zealous Diſciples*: and this after I had done right *to the Body of* the Engliſh Clergy. pag. 29, 30. Two Kings page 4.

And with the like Juſtice he had involved the whole *Church of England* in what I ſpoke, of the Behaviour of the *Warm Men of our Clergy*, who, when time ſerved, had taught that the *Kings moſt illegal Acts had the Authority of Sovereign Power*: and whether they who had taught this, and yet denied to read the *Late Kings* Declaration for Liberty of Conſcience, did not as effectually deny that Power, which once they taught, to be *Gods Ordinance*, as the Primitive Chriſtians did that of *Julian*, let others judge. True Vind. page 29.

All

All my 37*th*. Page, he ſays, *is ſpent in wild Reflections upon the eſtabliſhed national Church, as if they pretended Infallibility, and* that I *declare*, I am *for tugging with them, till they are ſubdued upon a Struggle; the ſame way*, He ſuppoſes, *that ſome of my Temper ſtruggled with the Biſhops in the laſt Age, when they not only pulled their Gowns from their Ears, but their Heads from their Bodies*: In which I am much beholden to him for his Charity; and his ſeeming Inclination to do the like by me. But it is to be conſidered,

page 40.

1. That I ſpoke not of the Church of *England*, but only of Clergy-men.

2. Such of them as might think themſelves to be exempted from ſuch Settlements as bound the Laity: And that while ſuch *keep up an Empire within an Empire, the Changes of Civil Government will not bind them, till they are ſubdued upon the Struggle, and by Providence condemned to Affairs truly Spiritual*; which I think would do the World and them no hurt.

page 37.

3. I no where ſaid, that even theſe Men pretend to *Infallibility*, but to *Gods Authority*, if not to that; and with this no doubt but they would carry on their work as well.

He makes pleaſant work about *Right* and *Fact*; he ſays, the Doctor makes *Fact, Fact, and all along diſtinguiſhes Poſſeſſion from Legal Right, as all People*, he ſays, *acknowledges it may be diſtinguiſhed.* That he ſets aſide the Conſideration of Law, as to *Right, not Fact*; but he will have it, that I am very uncivil, in blaming the Doctor for confounding what he had made a plain caſe, by ſaying, *The Law does not deny the others Right to the Crown: And*, ſays he, *I am ſtrangely miſtaken if it does, when it ſuppoſes it, nay grants it, and is the very Foundation of the Law*: And that it lay upon me *to anſwer the Doctor's Inſtance in the three* Henries. To all which I ſay,

page 31.

page 34.

page 34.

page 35.

1. That a Man of leſs Subtilty than the Doctor, might make *Fact, Fact*, and diſtinguiſh it from Right.

2. It

2. It is very ſtrange, that the Law ſhould be ſet aſide, in relation to Right, and that by the Doctor, who ſays, *to what particular Prince we muſt pay our Allegiance, we muſt learn from the Law of the Land*: and tho this is not ſuitable to the *Scheme* he lays down; yet in the nature of the thing, it ſeems a great Impropriety to ſay, the Law is a Proof of the *Fact*, not of *Right*. page 54.

3. Tho Law and Fact may well be diſtinguiſhed, and ſhould the Statute 11 *H.* 7. ſuppoſe that there may be ſuch a Diſtinction, and that Allegiance may be due by that, where there is Fact without Right; that warrants not the Doctor's going only upon Fact where there is a Right.

4. The Inſtances of the three *Henries*, if they were to the Purpoſe, are on my Side; ſince though they were not next in the Line, and were call'd Kings only *in Fact*, that is, Uſurpers, when the contrary Party prevail'd; yet they were all their Times lookt upon as legal and rightful Kings, and that according to the Conſtitution of the Government: and never certainly was there any Age, before this, in which the Subjects had the Inſolence and Folly, to call in queſtion the Right of thoſe to whom they ſwear Allegiance. H 6. *In the Regiſter of Writs called King de Facto & non de Jure, in Acts of Parliament an Uſurper.* 1 E. 4. c. 1. 17. E. 4. c. 6.

5. But if either the *Doctor*, or the *Vindicator* had read and conſidered what has been ſaid in this Controverſie, they might have found, that the Fact in relation to the three *Henries*, is nothing to the Purpoſe; for they wanted not, even that which the *Doctor* makes eſſential to transferring the Right; having had the Submiſſion of the next in the Line.

Henry the Fourth came in upon the Parliamentary Depoſal of *R.* II. and his actual Submiſſion to it. *Henry the Fifth and Sixth* came in under a Settlement in Parliament, after that Submiſſion. *Richard* Duke of *York*, of the elder Line, Father to *Edward* IV. ſubmitted to this *Fund. Conſt. cap.* 8. *f.* 31. *Ib. cap.* 9. *f.* 92. *Rot. Parl.* 8 *H.* 4. *n.* 60.

in the time of *H.* VI. and *E.* IV. claim'd not the Crown, as having a Right Prior to *Henry* VI. but *as forfeited to him* for the others not observing the Act of Settlement, or as he call'd it, *the Covenant eſtabliſhed in Parliament.*

Fund. Conſt. cap. 7. f. 58.

Two Kings. The *Vindicator* excepts againſt my Saying that the *Conſtitution of this Monarchy is hereditary as to a Family, elective as to Perſons*; and ſays, it has been *always hereditary to Perſons, where ſome notable Defect has not intervened, or Power conquered Right.* All that he brings to back his Aſſertion, is, that *Competitors to the Crown have pleaded the next Proximity of Blood.*

But if Proximity has been pleaded, and over-ruled by *Conventions* or *Parliaments*, which the Doctor admits to have Cognizance of the Plea; then the Caſe is ſtronger againſt him, by reaſon of the Plea, than if it had never been made.

Vid Caſe of Reſ. p. 2. But that both he and the Doctor may be *modeſt* in this Matter; I ſhall mention a few Heads which he may ſee prov'd at large.

Fund. Conſt. of the Engliſh Government. cap. 8. f. 73. 1. The Form of Prayer, uſed at the Coronation of *Saxon* Kings, and the *Council* at *Calcuth*, *Anno.* 789. ſhew the Peoples Right of Electing, at leaſt within a Family.

Ib. cap. 4. f. 37. 38, 39. 2. The *Confeſſors* Law, ancient Lawyers, and Hiſtorians, plainly prove *Elections.*

Sup. cap. 8. 3. To this very day the People at Coronations are askt, whether they will have ſuch an one King.

4. The Opinions of King *Alfred* and *W.* I. and frequent Settlements of the Crown, prove the ſame.

Sup. f. 74. 5. Oaths of Allegiance, till ſuch Settlements, were only perſonal to the King in poſſeſſion.

6. Even where there has been a Settlement, it has not been lookt on as abſolutely concluſive to the People, till they actually received a King.

7. The

8. The Parliament 12 *R.* 2. mention an old Law, the Record of which it is likely he imbezled, which ſhews, that upon a Vacancy of the Throne, they might chuſe any Body of the Royal Blood. *Knighton, f. 2683. Propinquiorem aliquem de ſanguine.*

9. The Practice of the Kingdom, ſince the reputed Conqueſt, in the frequent interruptions of the Line, if not good of its ſelf, yet confirm'd by the former Heads, is a good Proof. *Vid. Abſtract of the Succeſſion. Fund. Conſt. ſup.*

10. The Statute 11 *H.* 7. ſhews *Allegiance by all Laws* due to a King in Poſſeſſion, by a full Submiſſion of the People. *Fund. Conſt. f. 74. Ib. f. 84.*

11. Such a Right of Election here is not ſingular; but agreeable to the ancient Conſtitutions of other Kingdoms, deſcended from the ſame common Stock. *Ib. f. 83.*

It is not fit to leave this Matter, without notice of the Charge of my having *notoriouſly miſrepreſented* the Doctor, in relation to the three *Henries*, and that I bring him in affirming, that *an Uſurper may leave his Crown to his Heirs, without any expreſs or implied Conſent of the People*; but the good Luck is, that I never ſaid the Doctor affirm'd this, but *would have it ſo*; as the manifeſt Conſequence of what he ſays: but if I did aſſirm ſo, and the Doctor had own'd, as this Gentleman does, that ſuch a King, with the expreſs Conſent of his Subjects, may make a Law to bind the Right of the Crown, and did ſo; then the Contradiction would be palpable, which I do not charge; for then it would be thus, the three *Henries* were rightful Kings, excluding all others, and yet others had ſtill a Right unaltered: but I ſay it is an *Inconſiſtency* in him, to hold that the Poſſeſſor has an hereditary Crown, and leaves it to his Heirs, which implies a *Legal Deſcent*, and that without any Expreſs or implyed conſent of the Subject, that it ſhould deſcend; and yet that a diſpoſſeſſed Prince has Right to what is thus left to the Heirs; but I *True Vind. page 33.*

am ſure, how much ſoever the Vindicator takes in the Conſent of the People, the *Doctor* does not allow their Conſent to diminiſh the Right of the diſpoſſeſſed Prince.

I would not willingly forego any part of my Anſwer to the *Doctors* Comment upon the 13*th.* to the *Romans*: though this Gentleman receives my Senſe of it in the main, he nibbles at two Heads of five, whereby I think it is evident that the *Doctor* went upon a wrong Ground.

Two Kings.

Where, I ſay, *when our Saviour and his Apoſtles gave Rules about Subjection, there was no Competition [between Princes or Powers] about Rights or Titles to Government.*

This in truth he admits, but leaves out [*Princes or Powers*] and fights with his own Propoſition; but ſurely, take it even as himſelf makes it, he had no reaſon to aſk, *where was my Hiſtory, or Memory* upon this? for *Deſpiſers of Dominion*, and the ungovernable *Gnoſticks* or Jews could not be called Competitors or Rivals for Power with the *Romans*.

2. I obſerve that the *Doctor*, to no purpoſe here, if it were true, argues that the *Romans* were Uſurpers over the *Jews*. This Gentleman ſays, the Emperors were Uſurpers upon the Senate and People: but for that, not to mention Hiſtorians, which ſhew the contrary, I ſhall refer him to the *Roman* Law, which ſays, that the People had conferred the Power upon the Emperor, *ei & in eum jus tuum contulit.*

Vit. Fund. Conſt. f. 6.

But himſelf admits that the *Romans* were not Uſurpers over the *Jews*; for having taken notice of the Will of their King *Herod*, ſubmitting his and his Childrens Rights to the Pleaſure of *Auguſtus*; he ſays, if *Herod* had *any Right, he muſt derive it from Poſſeſſion and Conſent*: which I am ſure I am far from denying, though the *Doctor* does, that this can transfer a Right to a Crown, without the Submiſſion or Conſent of the diſpoſſeſs'd Prince.

I ſhall

I shall only free my self from a Contradiction, which he thinks he has found in my Words; and then take my leave of him, not doubting but we shall be better Friends when we meet next.

I having said, "I do not find, that the Doctor thinks "the Subjects bound to defend the Possession, against the "supposed Legal King: He will have it, that I contradict my self in the next Line, in saying, *Tho they have Sworn Allegiance, which implies a Legal Defence, according to their Abilities.*

This, indeed, is the Legal Implication, but far from being yielded by the *Doctor*. who, I believe, is satisfied, that this Gentleman defends his Principles no more, than the Witty and Judicious Author of that Admirable *Poem* the *Anti-Weesils*; who says of the *Passive Ass*;

Grave Soul-less thing, to Slavery inur'd,
He fears his Back should be from Loads secur'd;
Brays at the Court, because no Burden's there,
And thinks the Sweetest thing on Earth's to bear.

Anti-Weesils, first part. p. 5.

Handsomly exposes the *Passive-Obedience-Men*, in the Fable of the *Spaniel*, commanded to fetch his own *Tail*: and truly justifies *Providence*, concurring with the National Revolt, upon the late Breach of the *Fundamental Contract*;

And Contracts fastned with a mutual Oath,
Have mutual Bands, who e're breaks one breaks both.

Ib part 2. p. 15.

The *Doctor* and I should not differ, did he, with that *Discerning Author*, yield; 1. The Consequence of the Breach of a mutual Contract: 2. That the asking the Peoples Consent, is not a vain Ceremony at Coronations: 3. That the most *invidious Condition*, is implied in a Political or State Contract, as well as in the Matrimonial. 4. That there was such a Contract between the late King and

Ibid.

and his Subjects. 5. That there was a Breach on his ſide.

In ſhort, his buſineſs is not to juſtifie the *Doctor*, but the *Revolution*; the *Doctor* is for himſelf, not for the *Revolution*.

Obj. But ſay ſome, they are no Friends to the Government, who write againſt the *Doctor*; who ſhews that Men may ſubmit to this Government, notwithſtanding the Prejudice againſt it, from that ſhare which the People had in ſetling it.

Anſw. In Anſwer to which, I deſire theſe Particulars may be well conſidered.

1. It is enough to remove the *Prejudice*, not only againſt Submiſſion, but even the *Revolution* it ſelf; that the *Doctor*, with all his ſtrength of Invention, cannot ſhut out the People; but by condemning God's Inſtruments in all caſes, in bringing about the greateſt Bleſſings to Mankind.

2. Without Blemiſhing the *Divine Perfection*.

3. If this be a Prejudice with any againſt the Government; to have it thought an Uſurpation would be a *Prejudice* with more.

4. A Government ſettled by a National Conſent, need never fear them who are prejudiced againſt that Conſent; if they who were for it, may be admitted to defend it.

5. If they who have this Prejudice, ſeemingly come in to this Government, they are but the better enabled to betray it; and as the Belief of Right in Governours reſtrains the Multitude, who have the moſt ſtrength, from taking the Power into their own Hands; whenever the ſtrength of the Nation is in the Hands of them, who believe King *James* to have the *Right*; according to their own Principles they will be bound to recall him.

F I N I S.